

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

VINCENT JOHN BAZEMORE, JR., 37160-177,)	
Plaintiffs,)	
)	
v.)	No. 3:10-CV-1202-M
)	
ROBERT E. CASEY, JR., ET AL.,)	
Defendants.)	

**FINDINGS CONCLUSIONS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Pursuant to the provisions of 28 U.S.C. § 636(b) and an order of the District Court, this case has been referred to the United States Magistrate Judge. The findings, conclusions and recommendation of the Magistrate Judge follow:

PARTIES

This is a *pro se* civil rights action filed by Vincent John Bazemore, Jr., a federal prisoner, against three FBI agents and two United States Marshal Service employees. The Court has granted him leave to proceed *in forma pauperis*. Process has not issued pending judicial screening.

DISCUSSION

In 2009, Plaintiff was convicted of securities fraud and sentenced to sixty months confinement. The district court ordered Petitioner to pay more than \$15.7 million in restitution. In an effort to collect this sum, the government sought and obtained seizure warrants for certain property. In this case, Plaintiff contests the seizure of a 2008 Toyota Sequoia, miscellaneous computer equipment, miscellaneous jewelry, \$768 in currency, \$483.97 in life insurance funds,

\$480.78 in Bradmore insurance funds and all documents seized on June 19, 2009.

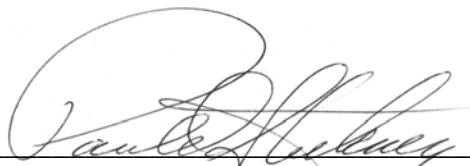
On April 8, 2010, Petitioner filed a civil rights complaint against two federal prosecutors and an FBI agent contesting the seizure of property, including some of the property claimed in this complaint. *See Bazemore v. Junker, et al.*, 3:10-CV-720-B (N.D. Tex.). That complaint is currently pending.

The Court finds the current complaint is duplicative of the complaint filed in *Bazemore v. Junker, et al.*, 3:10-CV-720-B (N.D. Tex.). The Court hereby recommends that this complaint be dismissed without prejudice to Plaintiff filing any non-duplicative property claims in his first-filed suit.

RECOMMENDATION

The Court recommends that this complaint be dismissed without prejudice.

Signed this 7th day of December, 2010.



PAUL D. STICKNEY
UNITED STATES MAGISTRATE JUDGE

**INSTRUCTIONS FOR SERVICE AND
NOTICE OF RIGHT TO APPEAL/OBJECT**

A copy of this report and recommendation shall be served on all parties in the manner provided by law. Any party who objects to any part of this report and recommendation must file specific written objections within 14 days after being served with a copy. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b). In order to be specific, an objection must identify the specific finding or recommendation to which objection is made, state the basis for the objection, and specify the place in the magistrate judge's report and recommendation where the disputed determination is found. An objection that merely incorporates by reference or refers to the briefing before the magistrate judge is not specific. Failure to file specific written objections will bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error. *See Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996).